



PATENT
Docket No. 270142000300

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Judy Bridgwater
Judy Bridgwater

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Brian C. KELLER, et al.

Serial No.: 09/530,795

Filing Date: June 25, 2000, filed under 35
U.S.C. § 371 on May 5, 2000

For: ENHANCED INFANT FORMULA
CONTAINING LIPOSOME
ENCAPSULATED NUTRIENTS AND
AGENTS

Examiner: K. Hendricks

Group Art Unit: 1761

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SUBMISSION UNDER 37 CFR 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
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Dear Sir:

This is in response to an Office Action herein mailed 2 July 2002, time for response to which was set to expire 2 October 2002. A Notice of Appeal, including a request for a two month extension of time, was filed on 20 December 2002. An Appeal Brief was due on 20 February 2003. In lieu of the Appeal Brief, Applicant's submitted an amendment and response under 37 CFR § 1.116 with a three-month extension of time on May 20, 2003. In an Advisory Action mailed 19 June 2003, the Office indicated a refusal to enter the 20 May 2003 amendment. Accordingly, the Applicants timely provide the present submission concurrent with a Request for Continued Examination prior to the expiration of the time allotted for response on 20 July 2003, along with a request for a five month extension of time. As the Applicants had previously paid

for an extension of time of three months on 20 May 2003, the fee submitted with the present five month extension of time request represents the total due for a five month extension of time minus the amounts previously paid on 20 May 2003.